

United States Senate

WASHINGTON, DC 20510-1804

May 30, 2014

The Honorable Thomas Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
Jamie L. Whitten Federal Building
1400 Independence Avenue S.W.
Washington D.C. 20250

Dear Secretary Vilsack:

I understand the Food and Nutrition Service (FNS) at the United States Department of Agriculture (USDA) is working with the Louisiana Department of Health and Hospitals to address serious concerns related to vendor management and cost containment efforts with the Louisiana Special Supplemental Nutrition Program for Women, Infants and Children (WIC) that have resulted in both state and federal moratoriums on the authorization of new WIC vendors. I agree with USDA that it is of utmost importance these issues are addressed and that Louisiana WIC comes into compliance with Federal requirements in a timely manner, so please let me know if I can be helpful in facilitating this process. However, it has been brought to my attention that the Federal moratorium on the authorization of new WIC vendors is preventing a particular vendor, which closed due to excessive flooding after Hurricane Katrina, from becoming recertified for the WIC program. I write to respectfully request that FNS make an exception and reauthorize Circle Foods Store – a historic grocer in one of the poorest areas in New Orleans – to be a WIC vendor.

For nearly 10 years, residents of New Orleans have awaited the return of Circle Foods Store in the heart of the Tremé neighborhood in the city's 7th Ward. Opening in the 1930s, Circle Foods is the first African-American owned and operated grocery store in the city, serving as the ultimate one-stop shop for residents of the surrounding area. In 2005, Hurricane Katrina filled the business with five feet of water, leaving millions of dollars in damage in its aftermath. With the help of the New Orleans Fresh Food Retailer Initiative, designed to bring fresh produce and other healthy products to underserved neighborhoods, Circle Foods was finally able to reopen in January 2014. Dozens of news outlets covered the store's opening day, and Mayor Mitch Landrieu hailed the store's reopening as an ongoing symbol of recovery after the hurricane.

Circle Foods has been a WIC-authorized vendor since the program's inception in the 1970s. Now that the store has reopened, the Federal moratorium on WIC stores prohibits the Louisiana Department of Health and Hospitals to re-certify Circle Foods to participate in WIC. Given the length of time it took Circle Foods to reopen, the store does not qualify for the 6 month "temporary closure" exception to moratoriums imposed by USDA. I imagine that this regulation wasn't created with stores that have faced a major natural disaster in mind.

Additionally, there are smaller WIC vendors in Tremé, so Circle Foods also does not qualify for the “participant access” exception. However, in a neighborhood with a poverty level 103.7% greater than the New Orleans average and 147.9% greater than the Louisiana average, it is vital that WIC participants have the opportunity to use their vouchers at a *full* grocery store that offers a wide assortment of fresh fruits and vegetables.

Mr. Secretary, I understand that Louisiana WIC must implement necessary corrective actions and needed improvements to its vendor management system and then demonstrate effective State agency management prior to USDA granting approval to lift the moratorium. I appreciate the strong oversight to make sure that states are running the WIC program without waste to the American taxpayer. However, I respectfully request that USDA grants explicit approval for Circle Foods to be WIC-certified. As I’ve stated, this store has participated in the WIC since the program’s creation. WIC participants in Tremé should not be prohibited from shopping at the only grocery store offering a wide variety of fresh foods in their neighborhood. I look forward to your engagement on this issue.

With warm regards, I am

Sincerely,



Mary L. Landrieu
United States Senator

CC:

Ms. Kathy Kliebert, Secretary of the Louisiana Department of Health and Hospitals